

Silver Spring Citizens Advisory Board Meeting Minutes
May 11, 2009

Members: Darian Unger, Alan Bowser, Kathy Stevens, Lucinda Lessley, Deborah Linn, Evan Glass, Phil Olivetti, Mark Woodard, Marilyn Seitz, Mitch Warren, and Tiffany Graham-Golden

Members Absent: Megan Moriarty, Casey Anderson, Constance Wynn

Guests: Jennifer Nettles, Bob Colvin, Karen Roper, Marcie Stickle, Jurg Siegenthaler, George French, Crystal Myers, Mike Grechet, Jennifer Desco, Jason Tomassini and Andy Wexler

Call to Order and Introduction: Darian Unger Chair called the meeting to order at 7:05 p.m. members and attendees introduced themselves.

Approval of Minutes: The Silver Spring Citizens Advisory Board approved the April 2009 minutes

Community Comments:

Bob Colvin distributed the East Silver Spring Citizens Association newsletter and announced Shed It Day and Police Open House, May 23, 11 am-3pm at Montgomery County Police Department on Sligo Avenue. ESSCA was involved with the up-kept of the circle at Woodbury and Gist and it is my understanding it will part of the garden tour.

Marcie Stickles announced the following:

1. Each and everyone one of us has lost a truly terrific person who worked for ALL of us when we lost the inimitable Civic Activist Wayne Goldstein just 2 weeks ago! It was standing room only at his service, and some prominent elected officials served as his pall bearers.
2. We need to make certain County Council fund in 2010 the Buy Local Silver Spring Campaign, just launched in 2008, it is making excellent strides, including the very first meeting of small independent business owners to create a SIB Merchants Association! Buy Local Silver Spring Campaign, long overdue, will promote and boost the over 215 multicultural small independent businesses in Silver Spring vast CBD! These SIBs are the heart and soul of Silver Spring! We must keep the positive momentum going! These unique businesses are the "livelihood" of these enterprising men and women and families. They are our "Moms and Pops"!

Andy Wexler, Transportation Management District Advisory Committee, (TMD) commented that the TMD Advisory Committee advises the County on all aspects of operations of the Silver Spring TMD monitors employer traffic mitigation plans, proposes guidelines for lessening traffic, reviews traffic patterns and makes recommendations on commuting, parking and other transit matters. The Committee is aware of Councilmember Leventhal's, proposal to eliminate

the TMD Advisory Committee and transfer its duties to the SSCAB and is in opposition of the proposal. We will write County Council to express our concerns and provide more detailed insight about the committee and the environment in which it operates.

Chairs Report:

Darian Unger reported that:

- Election of SSCAB Officers will be in June. Marilyn Seitz offered to Chair the nomination committee. Marilyn Seitz asked for two volunteers to be on the Committee and Deborah Linn volunteered.
- Kathy Stevens, Executive Vice Chair, announced the Annual Report for 2008-2009 will be issued no later than June 30. Each chair of a Committee should submit a summary of their work for this year including the Board Committee member and non-Board Committee members. The goal is to give the community a flavor of what this Board has been doing. The Executive Committee and Committee Chairs should submit their information no later than June 15th
- Safe Silver Spring Summit, May 16, 8-3:15 p.m., Montgomery College, Science North Building, Room SN100 on Fenton Street and we are co-sponsors.
- Darian asked if the Board would consider making a change for next year's budget season by selecting one of the regular SSCAB meetings during the slow part of the year and moving it to budget season and have a public meeting in a timely manner.
- The Executive staff asked the Board to give them another month for an update because they are in the middle of negotiations with the Fillmore. When the music venue was originally selected the Board wanted the venue but we were disturbed by the opacity of the process and wanted more transparency.
- The idea of naming the new Civic Building after the previous County Executive has been floating around and there has been a lack of enthusiasm for the County Executive floated proposal.

Director's Report:

Roylene Roberts distributed the Director's reports and gave brief highlights as follows:

- Councilmember Leventhal introduced proposed legislation that would have eliminated the Urban District Committee and the Transportation Management District Advisory Committee.
- Councilmember Floreen introduced legislation Bill 17-09 which would permit the use of Parking Lot District Revenues to be used to support other transportation activities. The Bill will be considered on June 15.
- Planning Board hearing for Studio Plaza is scheduled for May 28. The hearing will address the Project Plan, a Mandatory Referral for the public parking garage, and the conclusion of the public alley Abandonment case from February.
- The Feasibility Study Elizabeth Stickley (Old Blair) Auditorium) next meetings are Wednesday, May 13 and Wednesday May 27, 7:00 p.m. Silver Spring International Middle School, Instructional Media Center. AT the meeting on the May 13 they will discuss cost of each of the alternative.

- Silver Spring Library Charettes next meetings are Thursday, May 28 and Thursday, June 18, 7:00 p.m., Silver Spring International Middle School, Instructional Media Center. At the last meeting they presented their building massing, Fenton Street Station, pedestrian access and the hardscape that will be part of the libraries configuration.
- On June 9, public hearing on the County Executive's code enforcement legislation. The legislation implements key recommendations of the County Executive Leggett's Code Enforcement Work Group which conducted a year-long, top-to-bottom review of code enforcement. (http://www.montgomerycountymd.gov/content/PIO/pdfs/code_enforce_pub.pdf)
- Quality Time Early Learning Center (in former Gifford's Ice Cream store) filed for bankruptcy protection.
- Congratulation to Alan Bowser and his members on the First Annual Silver Spring Blues Festival on May 9. (*For complete details refer to distributed Directors Report*)
- On behalf of Ben Stutz who could not be here this evening. The Old Blair Auditorium Facility Planning meeting is Wednesday at the Silver Spring International Middle School Library at 7:00 p.m. where they will review the designs and get ballpark cost estimates and this is one of Councilmember Ervin's led projects. Budget items –\$ 75,000 is reconciliation list for the Long Branch sub-station and there are two emerging community items of 125,000 dollars each on the reconciliation for the Regional Services Centers. This is the emerging community's amount and any amount coming to Silver Spring would be earmarked for Long Branch Maintenance.

Fenton Village Report and Discussion

Deborah Linn reported that:

- The Forum was well attended and included board members, community and County Representative. We had break-out groups and the overwhelming response was we need to find a way to retain Fenton Village's character, businesses and not look like Bethesda. Another concern is the current overlay allows for 60 feet that steps back 90 to 110 feet and that this will be a wall of buildings and not what the community had in mind. I am working on compiling feedback from the groups to place on the website. I would like the Board to consider writing an initial recommendation to the Executive and County Council regarding re-examining the height allowance which is going to be somewhat difficult because of the library. The Studio Plaza hearing is May 20, but is not approved. The Adele is approved but there are other parts of Fenton Village that perhaps we can do something about. I think doing a mini sector plan might be a good idea. Next steps would consist of design since we have the drawings of what it is suppose to be like.

Discussion

- Phil Olivetti asked if the County could do something working with the Developers to make an attempt to clean-up Fenton Village. Roylene Roberts responded that the County can inspect the property to see if it is up to code and if not the property owner would be ordered to clean it up.
- Mike Gerecht, owner of property adjacent to the Studio Plaza Project commented that the proposed underground parking garage is a safety issue and that he contacted Joy Patil, Crime Prevention Officer and she responded stating "she has briefly seen plans of the proposed project and offered to look at the plans in-depth for the Developers which did

not met with enthusiasm on their part. She does not believe underground parking structures are a good idea in regards to crime prevention through environmental design and has no problem being on record as against it.” I am asking this Board as representatives of the Silver Spring Community to go on record about the underground garage because if we can’t trust the words of a Crime Prevention Specialist for Silver Spring who can we trust.

- Karen Roper commented regarding the height it may be to late. Last year the County Executive proposed 145 feet and Council knock it down to 110 feet in Committee and recommended a set-back which was voted against. You can go 110 feet on Fenton and Bob Hillerson’s proposal is 60 feet but after that any block can go to 110 feet which is not keeping at all with the spirit of the master plan.

Outreach Committee

Kathy Stevens reported that:

- The Committee is finalizing the brochure to distribute to other community groups.
- Vicki Lockerman commented that the Citizens Advisory Board data will be update first once received. Dwayne and I are going through all the website pages as they are also outdated and need to be updated.
- The three prong approach is the brochure, website and outreach to other community groups.

Darian Unger asked Kathy Stevens, Executive Vice Chair to facilitate the meeting for discussion of the Transportation and Pedestrian Safety Committee report and proposed draft letters for full Board approval.

Transportation and Pedestrian Safety

Darian Unger reported that:

The Committee discussed several pedestrian issues and Sgt. Harmon informed us of the pedestrian fatality. There are three action items for full Board approval as follows:

1. Councilmember Leventhal is introduced legislation that would eliminate of Silver Spring Urban District Advisory Committee and the Silver Spring Transportation Management District Committee. We opposed the elimination in Committee and it was approved unanimously. The letter is on page 13 and opposes the proposed elimination of both Committees. Since then SSUDAC has been removed from the proposed legislation. With a friendly amendment to remove SSUDAC I move the letter be approved.

Motion (Unger, Stevens), The Silver Spring Citizens Advisory Board unanimously approved the letter opposing the proposed elimination of the Silver Spring Urban District Advisory Committee and the Silver Spring Transportation Management District Committee(*see informational materials for finalized letter*)

2. Redistributing Silver Spring Parking Lot District Funds. Steve Nash, Chief of Parking

Management attended our Committee meeting and discussed the proposal to un-dedicate Silver Spring Parking District Funding (currently reserved for Silver Spring project) for more general use by the County. The committee voted in favor of writing a letter opposing expedited Bill 17-09 which would divert some parking lot district revenues to transit services. The Silver Spring Urban District Advisory Committee opposes Bill 17-09 as well.

Motion to table draft letter approved by the Transportation and Pedestrian Safety Committee passed with 1 abstention and 1 opposing.

Phil Olivetti made a new motion that the SSCAB sign on to the Urban District Advisory Committee letter dated May 5 and that we add a couple of sentences about the important of public transit or mass transit. Send a separate letter in support and sharing concern about public transportation.

Motion: (Olivetti, Seitz) the Silver Spring Citizens Advisory Board agreed to write a letter opposing Bill-17-09 which would allow Silver Spring Parking Lot District (PLD) revenues to be used to pay for bus services across the county. *(6 in favor, 3 abstentions with, 1 opposed).*
(See informational materials for finalized letter).

3. The last letter is about dedicating speed camera money to the pedestrian safety initiative and public safety programs. The Committee voted in favor of a letter that would support the concept of Bill 35-08 which would dedicate enough speed camera money to entirely fund the Pedestrian Safety Initiative. With an important caveat that would dedicate more funds to unincorporated high-incidence areas like Silver Spring.

Motion: (Unger, Stevens) the Silver Spring Citizens Advisory Board unanimously agreed to write a letter in support of Bill 35-08, which proposes to dedicate revenue from speed camera to the pedestrian safety initiative and other public safety purposes as amended. *(See informational materials for finalized letter).*

Phil Olivetti announced CED Committee meeting is May 20, at 7:30 p.m. Regional Services Center.

New Business

Marcie Stickles asked earlier in the meeting that the Board write a letter requesting additional funding for Buy Local Silver Spring because it is not budgeted for July 1.

Darian commented because this issue is not going through Committee anything coming in through New Business needs a super majority to pass.

Motion: (Glass, Stevens) the Silver Spring Citizens Advisory Board agreed to send an e-mail in support of additional funding for Buy Local Silver Spring (6 in favor, 1 oppose, 2 abstention)

Darian commented that Mike Gerecht asked the Board if they would take action expressing concern about the Hillerson proposal before the Park and Planning Hearing later this month.

Discussion:

Deborah Linn commented that the Hillerson proposal has many issues and the concern regarding the underground parking and safety. The project is very large and the Board needs to be careful if we are going to weigh-in and wait to see what the next phase shows and address all the issues after that. If we want to state something about the parking and safety that is one issue that would have consideration regardless of whose project it is. There have been some changes to the project and the CED Committee needs to look at those

Phil Olivetti commented that the Board needs to be careful in rushing into supporting a position when we have not heard from all sides.

Mark Woodard commented his preference is if Board is going to write a letter that includes the two concerns regarding underground parking and safety as well as community concerns about the lack of transparency in the process of the project and would like to be on record about that.

Darian Unger suggested authorizing someone from the Board to go to the Park and Planning Hearing and there will be a CED meeting before than that would testify on the issue at the end of this month having had the benefit of today's discussion and whatever comes out of CED Committee which would allow for more thought on the issue.

Mark Woodard moved that either Darian or Kathy go to the Planning Board Hearing and testify on the two concerns underground parking and community concerns regarding the lack of community involvement in the project.(2nd Stevens) Kathy Stevens suggested adding the motion that the CED have this subject on their upcoming meeting agenda and comes up with another series of questions that we can communicate a position or an on-going list of questions.

Motion: (Woodard, Seitz) the Silver Spring Citizens Advisory Board agreed that either the Chair Executive Vice Chair or representative to the hearing for the purpose of testifying expressing concerns about underground parking and community concerns regarding lack of community involvement in the project (7 in favor, 1 opposed)

9:05 p.m. Meeting adjourned

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